



*Reading file*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, Ca. 94105

January 19, 1993

Larry Thrasher  
Safford District Office  
Bureau of Land Management  
711 14th Avenue  
Safford, AZ 85546

Dear Mr. Thrasher:

The U.S. Environmental Protection Agency (EPA) has reviewed the **Final Environmental Impact Statement (FEIS) for the Sanchez Copper Project, Graham County, Arizona**. Our comments on this FEIS are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's Regulations for Implementing NEPA, and EPA's authorities under §309 of the Clean Air Act.

In our May 18, 1992, comment letter regarding the Draft Environmental Impact Statement (DEIS), we expressed our objections to the project based primarily on its potential impacts to air quality. We also requested additional information regarding impacts to water quality and biological resources as well as facility design, monitoring, and reclamation. Based on information in the FEIS, it appears that project activities have been changed and mitigation measures have been added which will reduce air quality impacts below those which were anticipated in the DEIS.

However, based upon our review of new information regarding facility design and monitoring, we recommend additional measures to reduce potential impacts to water quality.

♦ Monitoring wells are depicted on Figure 2 of the FEIS Appendix D Monitoring Report. Additional monitoring wells should be located downgradient from both the Phase I, II, and III leach pads.

♦ On Figure 2 of the FEIS Appendix D Monitoring Report, vadose zone monitoring points are depicted only for the Phase I leach pad. Vadose zone monitoring should also be conducted adjacent to the Phase II and III leach pads.

♦ Given that the regional groundwater flow direction is to the west and northwest (FEIS, page 3-16), BLM should analyze the need

for an additional groundwater monitoring well to the west of the northern portion of the waste rock dump (north of the open pit).

We are dismayed by BLM's response to our recommendation that the Bureau consider requiring compensation for habitat losses that would result from the proposed project. General Response No. 6 implies that the Sanchez project would not cause unnecessary or undue environmental degradation. However, we disagree with this implication. Pursuant to 43 CFR 3809, mining activities should be "conducted in a manner that will prevent unnecessary or undue degradation and provide protection of nonmineral resources of the Federal lands...." The definition of unnecessary or undue degradation is provided in 43 CFR 3809.0-5(k):

**"Unnecessary or undue degradation means surface disturbance greater than what would normally result when an activity is being accomplished by a prudent operator in usual, customary, and proficient operations of similar character and taking into consideration the effects of operations on other resources and land uses, including those resources and uses outside the area of operations. Failure to initiate and complete reasonable mitigation measures, including reclamation of disturbed areas or creation of a nuisance may constitute unnecessary or undue degradation...."**  
(emphasis added).

Only approximately one-third of the disturbed area would be reclaimed under the proposed action. We agree with 43 CFR 3809.0-5(k) that reasonable mitigation measures include reclamation of disturbed areas and believe that mitigation may include other compensation measures as well. For example, if disturbed areas cannot be reclaimed cost-effectively, mitigation could be accomplished by off-site replacement of lost habitat. We urge BLM to work with AZCO in developing a more effective mitigation plan than that currently proposed.

If you have any questions regarding these issues, you may contact me at (415) 744-1015, or Jeanne Dunn Geselbracht, Office of Federal Activities, at (415) 744-1576.

Sincerely,

  
Deanna M. Wieman, Director  
Office of External Affairs

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cc: Donald Spencer, Arizona Department of Environmental Quality  
Joan Scott, Arizona Game & Fish Department